

e15

Notice of Allowability

Application No.

10/645,313

Examiner

Cheryl M. Shechtman

Applicant(s)

STEVENSON ET AL.

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/5/07.
2. ☒ The allowed claim(s) is/are 1-82.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This communication is in response to RCE filed April 5, 2007. Claims 1-82 are pending. Claims 1, 21, 28, 30, 35, 41, 46, 52-63, and 76 are amended.

Response to Arguments

2. Referring to the 35 USC 112 second paragraph rejection of claims 35 and 46, Applicant's amendments are acknowledged. As such, the 35 USC 112 second paragraph rejection of the aforementioned claims is withdrawn.

3. Applicant's arguments, see pages 22-26 of Remarks section, filed January 29, 2007, with respect to claims 1-82 have been fully considered and are persuasive. The 35 USC 102 and 103 rejections of claims 1-82 have been withdrawn.

Allowable Subject Matter

4. Claims 1-82 are allowed.

The following is an examiner's statement of reasons for allowance:

5. Referring to claim 1, Walker discloses a system for augmenting data from a source data file to generate an augmented data file, comprising: a reference database including a reference datum; a handler component configured to retrieve the source data file, the source data file including a structured datum; locator component configured to locate the structured datum in the source data file; an analyzer component configured to associate the structured datum to the reference datum to create an association according to an analyzing strategy; a generating component configured to

Art Unit: 2163

embed the association of the structured datum to the reference datum in the source data file to generate an augmented data file at a first instance; and a communication component for transmitting additional information according to the association, the additional information being simultaneously displayable as an overlay in an area proximate to the structured datum.

Referring to claim 1, Day (US 2002/0065136) discloses a click counter that tracks the number of sites or indicants that a user has clicked on during a game session (para. 43).

Neither Walker taken either alone or in obvious combination disclose all the claimed features of applicant's instant invention, specifically including: *transmitting the augmented data file to a computing device, receiving an identifier at a second instance from the computing device corresponding to a pointer being positioned over the structured datum in the computing device, and responsive to receiving the identifier, updating the reference database to track the number of times a pointer is positioned over the structured datum.*

Also, there is no motivation to combine Day to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

Claim 63 is similar to claim 1 and is therefore also allowable for the same reasons listed above with respect to claim 1.

Art Unit: 2163

6. Referring to claim 21, Walker discloses a method of augmenting data from a source data file with data from a reference database, the method comprising: augmenting the source data file at a first instance comprising: retrieving the source data file including a structured datum from a first address, identifying the structured datum, locating a reference datum from the reference database according to the identified structured datum, generating an association of the reference datum to the structured datum, augmenting the source data file with the generated association to create an augmented file, and storing the augmented data file at a second address for subsequent display of the augmented file in response to a request for the source data file; and transmitting additional information according to the association, the additional information being simultaneously displayable as an overlay in an area proximate to the structured datum.

Referring to claim 21, Day (US 2002/0065136) discloses a click counter that tracks the number of sites or indicants that a user has clicked on during a game session (para. 43).

Neither Walker taken either alone or in obvious combination disclose all the claimed features of applicant's instant invention, specifically including: *transmitting the augmented data file to a computing device, receiving an identifier at a second instance from the computing device corresponding to a pointer being positioned over the structured datum in the computing device, and responsive to receiving the identifier,*

Art Unit: 2163

updating the reference database to track the number of times a pointer is positioned over the structured datum.

Also, there is no motivation to combine Day to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

7. Referring to claim 41, Walker discloses a system for associating data in a reference database with structured data in a source data file, comprising: means for augmenting the source data file at a first instance, comprising: means for reading a structured datum from the source data file, means for locating a reference datum in the reference database corresponding to the structured datum, means for generating an association of the reference datum to the structured datum, and means for augmenting the source data file with the generated association to create an augmented data file; and means for transmitting additional information, wherein the means for transmitting additional information transmits additional information according to the association, the additional information being simultaneously displayable as an overlay in an area proximate to the structured datum.

Referring to claim 41, Day (US 2002/0065136) discloses a click counter that tracks the number of sites or indicants that a user has clicked on during a game session (para. 43).

Neither Walker taken either alone or in obvious combination disclose all the claimed features of applicant's instant invention, specifically including: *transmitting the*

Art Unit: 2163

augmented data file to a computing device, receiving an identifier at a second instance from the computing device corresponding to a pointer being positioned over the structured datum in the computing device, and updating the reference database to track the number of times a pointer is positioned over the structured datum responsive to receiving the identifier.

Also, there is no motivation to combine Day to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

Claims 30 and 52 are similar to claim 41 and are therefore also allowable for the same reasons listed above with respect to claim 41.

Claims 2-20, 22-29, 31-40, 42-51, 53-62, and 64-82 depend from claims 1, 21, 30, 41, 52, and 63 respectively and are therefore also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

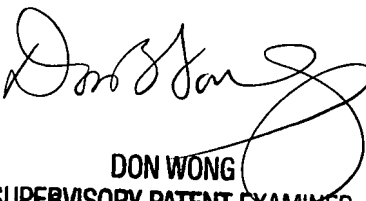
Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M Shechtman who can be reached on (571) 272-4018. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 24, 2007
CMS


DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100